

IPW



PATENT
Customer No. 22,852
Attorney Docket No. 5725.0425-01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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|--------------------------------------|---|---------------------------|
| In re Application of: |) | |
| |) | |
| Isabelle ROLLAT-CORVOL et al. |) | <u>Prior Application:</u> |
| |) | |
| Application No.: 10/706,048 |) | Group Art Unit: 1616 |
| |) | |
| Filed: November 13, 2003 |) | Examiner: M. Lamm |
| |) | |
| For: COSMETIC COMPOSITION |) | |
| COMPRISING AT LEAST ONE |) | |
| BRANCHED SULPHONIC |) | |
| POLYESTER AND AT LEAST |) | |
| ONE CONDITIONING AGENT |) | |

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicants bring to the attention of the Examiner the documents listed on the attached PTO 1449. This Information Disclosure Statement is being filed before the issuance of a first Office Action.

Copies of the listed documents are attached. Applicants respectfully request that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

The listed documents were either cited by the Applicants or the Examiner in parent U.S. Patent Application No. 09/330,075. Applicants are relying on this prior application for benefit of an earlier filing date under 35 U.S.C. § 120. Accordingly, it is not required that copies of the cited documents be provided. 37 C.F.R. § 1.98(d).

With respect to the non-English documents, Applicants submit the following remarks:

1. **DE 34 11 062** - An abstract of the disclosure of this document can be found in the English language Derwent Abstract submitted herewith.
2. **EP 0 864 319** - An abstract of the disclosure of this document can be found in the English language Derwent Abstract submitted herewith.
3. **FR 2 760 636** - An abstract of the disclosure of this document can be found in the English language Derwent Abstract submitted herewith.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and Applicants determine that the cited documents do not constitute "prior art" under United States law, Applicants reserve the right to present to the Patent Office the relevant facts and law regarding the appropriate status of such documents.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

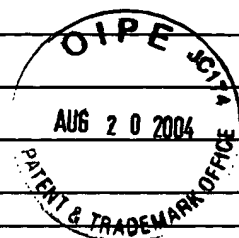
Dated: August 20, 2004

By: 

Louis M. Troilo
Reg. No. 45,284

INFORMATION DISCLOSURE CITATION

| | | | |
|------------------|-------------------------------|------------|------------|
| Atty. Docket No. | 5725.0425-01 | Appln. No. | 10/706,048 |
| Applicant | Isabelle ROLLAT-CORVOL et al. | | |
| Filing Date | November 13, 2003 | Group: | 1616 |



| U.S. PATENT DOCUMENTS | | | | | | | |
|-----------------------|---|-----------------|---------------|-------------------|-------|-----------|----------------------------|
| Examiner Initial* | | Document Number | Issue Date | Name | Class | Sub Class | Filing Date If Appropriate |
| | 1 | 5,320,836 | Jun. 14, 1994 | Singleton | | | Jan. 4, 199 |
| | 2 | 4,150,216 | Apr. 17, 1979 | Quack | | | July 19, 1977 |
| | 3 | 5,662,893 | Sep. 2, 1997 | George | | | June 3, 1994 |
| | 4 | 6,346,234 | Feb. 12, 2002 | Rollat | | | Oct. 29, 1999 |
| | 5 | 5,158,762 | Oct., 1992 | Pierce | | | |
| | 6 | 5,756,076 | May, 1998 | Cervantes et al. | | | |
| | 7 | 6,139,849 | Oct., 2000 | Lesaulnier et al. | | | |

| FOREIGN PATENT DOCUMENTS | | | | | | | |
|--------------------------|----|-----------------|------------------|---------|-------|-----------|-----------------------|
| | | Document Number | Publication Date | Country | Class | Sub Class | Translation Yes or No |
| | 8 | DE 34 11 062 | Oct. 3, 1995 | Germany | | | Abstract |
| | 9 | EP 0 551 749 | Jul. 21, 1993 | Europe | | | |
| | 10 | EP 0 679 386 | Nov. 2, 1995 | Europe | | | |
| | 11 | EP 0 864 319 | Sep. 16, 1998 | Europe | | | Abstract |
| | 12 | FR 2 760 636 | Sep. 18, 1998 | France | | | Abstract |
| | 13 | WO 95/18191 | Jul. 6, 1995 | PCT | | | |
| | 14 | WO 97/08261 | Mar. 6, 1997 | PCT | | | |
| | 15 | WO 97/20899 | Jun. 12, 1997 | PCT | | | |
| | 16 | WO 98/38969 A2 | Sep. 1998 | WIPO | | | Abstract |

| OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.) | | |
|--|----|---|
| | 17 | English language Derwent Abstract of DE 34 11 062. |
| | 18 | English language Derwent Abstract of EP 0 864 319. |
| | 19 | English language Derwent Abstract of FR 2 760 636. |
| | 20 | English language Derwent Abstract of WO 98/38969 A2. |
| | 21 | M.S. Starch, <u>Drug & Cosmetic Industry</u> , Vol. 134(6):38-44 (1984) |

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|---|---|
| Examiner | Date Considered |
| *Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. | |
| Form PTO 1449 | Patent and Trademark Office - U.S. Department of Commerce |